

Notice of Allowability	Application No.	Applicant(s)	
	09/674,508 Examiner	VERSINI, ROLLAND Art Unit	
	Timothy P. Solak	3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment received on 01/04/2005.

2. The allowed claim(s) is/are 5-40.

3. The drawings filed on 04 January 2005 are accepted by the Examiner.

4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
 Paper No./Mail Date _____
- 4. Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
- 5. Notice of Informal Patent Application (PTO-152)
- 6. Interview Summary (PTO-413),
 Paper No./Mail Date 12/12/05
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

EXAMINER'S COMMENTS

Interview Summary

Applicant's summary of the interview of 12/07/2004, page 13-14, is a clear representation of the conversations that occurred.

Response to Arguments

Applicant's arguments, see pages 15-17, filed 01/04/2005, with respect to the rejections under - 35 USC § 112 second paragraph have been fully considered and are persuasive. Accordingly the rejections of Claims 5-32, set forth in the previous Office Action, are hereby withdrawn.

Applicant's arguments, see pages page 18, lines 4 to page 19, line 8, filed 01/04/2005, with respect to Tzeng have been fully considered and are persuasive. Accordingly the rejections under - 35 USC § 103(a), set forth in the previous Office Action are hereby withdrawn.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, does not teach or make obvious the apparatus of Claims 5, 33, 39-40, specifically an electromagnetic motor comprising a main body, a coil and a movable hollow free piston, but more specifically a flow meter coupled to one end of the electromagnetic motor, a cylinder block

coupled to another end of the electromagnet motor and a pressure limiting device arranged within the cylinder block.

With respect to Claim 33, the prior art of record, does not teach or make obvious a motor pump system comprising a main body having an inlet end and an outlet end, but more specifically a flow meter coupled to the inlet end, an outlet body coupled to the outlet end and a pressure controller comprising a fixed element wherein the fixed element is coupled to the outlet body.

With respect to Claim 39, the prior art of record, does not teach or make obvious a motor pump system comprising a main body having a first end and a second end, but more specifically a flow meter coupled to the first end and having an inlet, an outlet body coupled to the second end and having an outlet and a pressure controller comprising a fixed element and an outlet which is in fluid communication with the outlet of the outlet body.

The closest related art of record is McKay (WO 95/26462) which discloses an electromagnetic pump having a flow meter 19 and a pressure relief 22 (page 13, lines 4-10), however, McKay does not teach or make obvious flow through a motor and more specifically a flow meter at one end of the motor and a pressure relief/limiting device at the other.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Numbering

Claims 5-40 have been renumbered for allowance as Claims 1-36.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy P. Solak whose telephone number is 571 272-4833. The examiner can normally be reached on Monday through Friday from 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



tps

March 5, 2005



CHERYL TYLER
SUPERVISORY PATENT EXAMINER